

Migration Amendment (Strengthening the Character Test) Bill 2019 Submission to the Inquiry by the Joint Standing Committee

1. I welcome the opportunity to provide a brief submission to the Senate Legal and Constitutional Affairs Legislation Committee Inquiry into the recently tabled Migration Amendment (Strengthening the Character Test) Bill 2019 (the Bill).
2. While I endorse in full the recommendations contained in submissions made to the Inquiry by the Visa Cancellations Working Group and the Asylum Seeker Resource Centre (ASRC), I wish to make a number of additional comments.
3. I am a Registered Migration Agent living and working in a rural area of Western Australia. Many of my current and former clients have arrived in Australia as asylum seekers. I also undertake pro-bono work assisting women escaping family violence perpetrated by their Australian sponsors.
4. My current and former clients work in a variety of industries, including horticulture, viticulture and meat processing. They and their families are making significant contributions to the communities in which they live and work.
5. Many experience a precarious migration status however, while they await the results of the prolonged processing of their applications for Australian citizenship. I am concerned that people in their position, other visa holders with poor literacy, children and vulnerable people such as family violence victims are likely to be disproportionately affected by the proposed changes in the legislation.
6. Further, dependent women and children are likely to experience poverty and dislocation if economically active family members have their visas refused or cancelled and are then removed from Australia. If they wish to preserve their family, they will be faced with the difficult choice of relocating to countries with which they and their children may have no connection or where there is violence and insecurity.
7. Like many Australians, I have encountered people who have made mistakes over the course of their lives. Some have been charged with criminal offenses, and in some cases, have spent time in prison. Many of these people have however been able to turn their lives around and have gone on to make lasting contributions to their families and communities. I believe that the proposals in the Bill strike at an important recognition that it is possible for a person to change and grow and to redeem themselves in the eyes of our community.
8. Australia since 1788 is a nation built on the notion of the “second chance” and the possibility of individual redemption. The punitive nature of the proposed legislation turns this on its head. People affected by its provisions are also going to be punished twice. Families who lose a family member to removal will also be punished, especially where their visas are cancelled as a consequence of the cancellation of the main visa holder’s visa.
9. Based on the arguments outlined in the Legal Centres Working Group and ASRC

submissions, and for the reasons expressed above, I request that the Bill be rejected in its entirety.

Heather Marr